

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DAVID F. ROBINSON,	:	MOTION TO VACATE
Movant,	:	28 U.S.C. § 2255
	:	
v.	:	CRIMINAL INDICTMENT NO.
	:	1:18-CR-0198-TWT-CCB-1
UNITED STATES,	:	
Respondent.	:	CIVIL FILE NO.
	:	1:19-CV-2269-TWT-CCB

**UNITED STATES MAGISTRATE JUDGE’S
FINAL REPORT AND RECOMMENDATION**

The matter is before the Court because the Court’s May 8, 2020 Order, sent to Movant at his address of record, has been returned as undeliverable. (Docs. 54, 55).

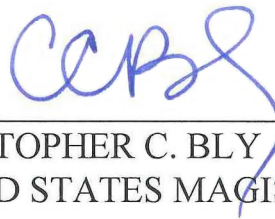
In its May 8, 2020, Order, the Court observed that the official website for the Federal Bureau of Prisons (BOP) showed that Movant had been released and that the Court’s docket did not show that Movant had provided an updated address. (Doc. 54 at 1). The Court ordered Movant within fourteen (14) days to provide notice of his correct and current address, reminded Movant that he previously had been advised that his action would be subject to dismissal if he failed to keep the Clerk of Court advised of his correct address, and advised Movant that his action would be subject to dismissal if he failed to respond. (Id. at 1-2).

On May 20, 2020, the Order, mailed to Movant at his address of record, was returned as undeliverable. (Doc. 55). Further, as of June 2, 2020, Petitioner has not notified the Clerk of Court of his whereabouts. Local Rule 41.2(B) provides that “[t]he failure . . . of a party appearing pro se to keep the clerk’s office informed of any change in address and/or telephone number which causes a delay or otherwise adversely affects the management of the case shall constitute grounds . . . for dismissal of the action without prejudice”

As this Court has no information regarding Movant’s whereabouts, it is **RECOMMENDED** that this habeas corpus action be **DISMISSED WITHOUT PREJUDICE** pursuant to Local Rule 41.2(B) and that a certificate of appealability (COA) be **DENIED**.

The Clerk is **DIRECTED** to withdraw the reference to the Magistrate Judge.

IT IS SO RECOMMENDED and DIRECTED, this 2nd day of June, 2020.



CHRISTOPHER C. BLY
UNITED STATES MAGISTRATE JUDGE